IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O. O. C. J.
Arbitration Application No. 23 of 2006

M/s.Garuda Aviation Service Pvt. Ltd. Applicant
Vs.
The Airport Authority of India Respondent

Mr.V.J.Hegde for applicant.
Ms.Manisha Chandanani for respondent.

CORAM: B.H.MARLAPALLE, J.

March 03, 2006.

P.C.

. This is an application for appointment of the sole arbitrator under Section 11 of the Arbitration and Conciliation Act, 1996. The learned counsel for the applicant has referred to clause 30 of the agreement signed between the parties (General Terms and Conditions) and the said agreement provides for appointment of the sole arbitrator by the Chairman / Member of the Authority i.e. the respondent herein. However, as the Competent Authority has failed to appoint the sole arbitrator, this application came to be filed.

. The learned counsel for the respondent states that this application could be disposed off by appointing the sole arbitrator by invoking powers under Section 11 of the Arbitration and Conciliation Act, 1996 but she did not suggest any name and left

it to this Court's choice. Whereas the learned counsel for the applicant has suggested the name of Hon'ble Mr.Justice H. Suresh (Retd.) as the sole arbitrator.

. By consent this application is allowed and Hon'ble Mr.Justice H. Suresh (Retd.) is hereby appointed as the sole arbitrator as suggested by the applicant under Section 11 of the Act. The arbitration proceedings shall be in respect of the claims/disputes as set out in the applicant's letter dated 2nd November 2005. The parties to appear before the sole arbitrator within a period of two weeks and finalise the further terms of arbitral proceedings including the time span, fees etc.

. The application is disposed off in terms of the above order and a copy of this order shall be forwarded to Hon'ble Mr.Justice H. Suresh by the Registry forthwith.

(B.H.MARLAPALLE,J.)